IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE TWENTY NINETH DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE MS JUSTICE G.ROHINI

WRIT PETITION NO : 19904 of 2004

Between:

Sri N. Butchaiah, S/o. (Late) N. Gopaiah
H.No.18-27, Devarakonda Town, Nalgonda District.

..... PETITIONER

AND

The Revenue Divisional Officer, Miryalaguda, Nalgonda District.

.....RESPONDENT

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court may be pleased to Issue an appropriate writ, order or direction more particularly one in the nature of writ of Mandamus, set aside the suspension order of the Respondent in Proc.No.E2/3429/2004 dt. - 10.2004 which was issued against the principles of natural justice without giving notice or making any charges against the control order is illegal, without jurisdiction null and void, and consequently direct the respondent to issue the E.C's to the petitioner herein to distribute the same to the cardholders as usual.

Counsel for the Petitioner:MR.BOLLAM LINGAIAH YADAV

Counsel for the Respondent: GP FOR CIVIL SUPPLIES

The Court made the following :

ORDER:

This writ petition is filed aggrieved by the order of the respondent-Revenue Divisional Officer, Miryalaguda, suspending authorization of the petitioner pending enquiry into the alleged irregularities. Though the learned Counsel for the petitioner vehemently contended that the allegations made against the petitioner are all false and baseless, I am not inclined to go into the correctness of the said allegations.

Admittedly, a show cause notice was already issued and the enquiry is pending and therefore it is necessary for the respondent to proceed with the enquiry and record the findings after considering the explanation offered by the petitioner.

In the circumstances, without expressing any opinion on merits, the Writ petition is disposed of, with a direction to the respondent- Revenue Divisional officer, Miryalaguda, to complete the enquiry initiated against the petitioner following due process of law, as expeditiously as possible, preferably within a period of two weeks from the date of receipt of this order. No costs.

29.10.2004

Note: Issue C.C. by Monday.
(B/O)
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To

1. The Revenue Divisional Officer, Miryalaguda, Nalgonda District.
2. Two copies to the G.P. for Civil Supplies, High Court Buildings, Hyderabad (OUT).
3. 2 CD copies.